



Docket No.: M4065.0383/P383-C
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Kie Y. Ahn et al.

Application No.: 10/759,079

Confirmation No.: 7174

Filed: January 20, 2004

Art Unit: 2818

For: LOW-LOSS COPLANAR WAVEGUIDES
AND METHOD OF FABRICATION

Examiner: D. Nhu

**REQUEST FOR RECONSIDERATION AND SUBMISSION OF TERMINAL
DISCLAIMER**

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

In response to the Office Action dated October 15, 2004 (Paper No. 1004) and in view of the January 12, 2005 telephone interview with Examiner David Nhu, please reconsider the above-identified U.S. patent application in view of the following remarks:

REMARKS

Claims 45-47, 52, 57-62, 71-77 and 84-85 are pending in this application.

Claims 45-47, 52, 57-62, 71-77 and 84-85 stand rejected under the judicially-created doctrine of obviousness-type double patenting over claims 1-27 of Ahn et al., U.S. Patent No. 6,756,673. In response to this rejection, Applicants' undersigned representative concurrently file a Terminal Disclaimer.

Allowance of the application is solicited.

Dated: January 18, 2005

Respectfully submitted,

By 

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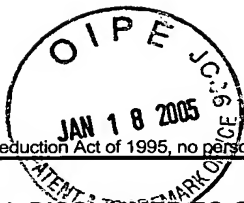
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A PRIOR PATENT**

Docket Number (Optional)
M4065.0383/P383-C

In re Application of: Kie Y. Ahn et al.

Application No.: 10/759,079

Filed: January 20, 2004

For: LOW-LOSS COPLANAR WAVEGUIDES AND METHOD OF FABRICATION

The owner*, MICRON TECHNOLOGY, INC., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and

173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,756,673.

The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patents, as presently shortened by any terminal disclaimer, in the event that any of the patents later expire for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record.


Signature

January 18, 2005
Date

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Thomas J. D'Amico
Gabriela I. Coman
Typed or printed name

(202) 828-2232
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- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/96 may be used for making this certification. See MPEP § 324.